



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Kenny C. Guinn, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

Notice of Proposed Action

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and the Clean Water Act. The Administrator has received a complete application for a National Pollutant Discharge Elimination System Permit, NV0021725, from the following applicant:

Newmont Mining Corporation
1700 Lincoln Street
Denver, Colorado 80203

The Applicant proposes to increase the permitted discharge at Twin Creeks Mine from a daily maximum of 14.5 million gallons per day (MGD) to 19.872 MGD of treated water produced from mine dewatering wells and sumps located within the open pit. The pumped groundwater is treated to remove arsenic to a concentration below the Nevada Administrative Code (NAC) 445A.144 municipal or domestic supply water standard, 0.050 milligrams per liter. The Applicant discharges to the Humboldt River and groundwater via Rabbit and Kelly Creeks. The discharge to Rabbit Creek, an ephemeral drainage, is approximately four miles upstream of the confluence with Kelly Creek. The Humboldt River is approximately eighteen miles downstream of the confluence of Rabbit and Kelly Creeks. The Nevada Division of Water Resources has restricted the annual average discharge to the Humboldt River to 2 cubic feet per second (1.3 MGD). The majority of the discharge seeps to the alluvial aquifer before reaching the Humboldt. Monitoring of the discharge is conducted to ensure that waters of the State are not degraded as a result of the discharge.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, as amended, and implementing regulations, the Administrator proposes to issue Permit NV0021725 to discharge for a five (5) year period, subject to certain effluent limitations.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the NAC, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand delivered or postmarked no later than 5:00 P.M. on September 16, 2006, either in person or by mail to:

Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

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The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received within the thirty (30) day period will be considered in the formulation of final determination(s) regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Bruce Holmgren, Bureau of Water Pollution Control, at (775) 687-9423 or at bholmgre@ndep.nv.gov. The office facsimile number is (775) 687-4684. For further information, the fact sheet for this project can be viewed at the following website: <http://ndep.nv.gov/admin/public.htm>.